REMARKS

Claims 1-18 are pending. Claims 1-18 stand rejected in this Office Action. Applicant is amending claims 1 and 10 as will be discussed.

Applicant acknowledges that the arguments to 1-18, as previously presented in the paper filed July 17, 2007, are moot in view of the new grounds of rejection.

Claim Rejections – 35 U.S.C. § 103

Applicant is amending claim 1 to replace "feedback" with "the feedback" in step (d) because a proper antecedent basis has been established.

Claim Rejections – 35 U.S.C. § 103

Claims 1-2, 4-11, and 13-18 are rejected under 103 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,727,161 (Purcell), U.S. Patent No. 5,727,950 (Cook). U.S. Patent No. 5,372,507 (Goleh), "Software Usability: Choosing Appropriate Methods for Evaluating Online Systems and Documentation" (Mehlenbacher), "Rapid Prototyping: An Alternative Instructional Design Strategy" (Tripp), and "Software Engineering Concepts" (Fairley).

Applicant is amending claim 1 to include the features of "the components comprising: a domain component providing services for modeling a state of the simulation; a profiling component providing a rule-based evaluation of the state of the simulation; a transformation component providing services for manipulating the state of the simulation; and a remediation component providing services for a rule-based delivery of feedback to the student" and "the test phase including functional testing, usability testing, and cognition testing, the test phase being performed to test that the simulation: functions properly as performed by the functional testing; enables the student to navigate effectively as performed by the usability test; and meets learning objectives as performed by the cognition testing." The amendment is supported by the specification as originally filed, e.g., page 6, lines 13-22 and page 9, lines 4-10.

Regarding claim 1, the combination of Purcell, Cook, Goleh, Mehlenbacher, Tripp, and Fairley fails to even suggest the feature of "managing information flow utilizing a table of

components to provide a simulation of the actual work environment during the presentation, wherein each component encapsulates behavior and data necessary to support a related set of service through a published interface, each said component supporting activities in a plurality of development phases of the simulation that include a test phase, **the components comprising: a domain component providing services for modeling a state of the simulation; a profiling component providing a rule-based evaluation of the state of the simulation; a transformation component providing services for manipulating the state of the simulation; and a remediation component providing services for a rule-based delivery of feedback to the student**." (Emphasis added.) The Office Action alleges that Cook teaches (Page 7, line13 – page 8, line 12):

> (c) managing information flow utilizing a table of components to provide a simulation of the actual work environment during the presentation, wherein each component encapsulates a behavior and data necessary to support a related set of services through a published interface, each said component supporting activities in a plurality of development phases of the simulation (C5-63 especially "FIG. 2A also shows an exemplary screen layout ... preferably partitioned so that principal components of this invention are displayed; ... **Materials area 220** is for the instructional materials, tools, and communication materials to present visual display objects and for these components to receive interactive input. ... The system area at top includes **toolbar 218** for selecting particular available system components. In particular, always available on this toolbar are selection icons 219 for the calendar and scheduling tool. ... This software provides, among other services, support for I/O devices attached to the client, a file system with cache control, lower level network protocols, such as TCP/IP and ATM, and higher-level network protocols, such as HTTP V2.0. Basic shared ABI system capabilities are provided by executive software 223. ... Such downloading can utilize higher level network transfer protocols, or alternatively, directly use lower level network protocols."C16 L50-C17 L40 or "Instructional Materials: the components of a course of instruction ... to the student."C9 L55-63 or "Tools Data: the content ... Virtual Tutor: the ABI system components acting together to emulate a human tutor; ... personal tutor "C 10 L25-35 or "§5.1.1 Functional Components ... from the system" C10 L41-Cll L42 or "This optional capability serves ... the operating system components to maintain some form of version control of the read-only data. ... access the ABI system services from any available client system at any time by simply downloading the student data object to that client system." C16 L15- 30); The table in Figure 2A allows a user access to various components of the invention through a published user interface. These components clearly encapsulate behaviors and data that are essential to providing associated services as disclosed in the above references and throughout the disclosure of the invention.

Referring to fig. 2A, Goleh merely discloses screen areas, e.g., toolbar 218 (from which a user can select a calendar and scheduling tool) and materials area 220 (for presenting instructional material). However, Goleh does not even suggest "a domain component providing services for modeling a state of the simulation; a profiling component providing a rule-based evaluation of the state of the simulation; a transformation component providing services for manipulating the state of the simulation; and a remediation component providing services for a rule-based delivery of feedback to the student."

Moreover, the Office Action admits that the combination of Purcell, Goleh, and Cooks fails to explicitly teach that (Page 10, lines 5-11):

> The combination of Purcell, Goleh, and Cook fails to explicitly teach:
> (c) wherein the development phases of the simulation that include a test phase, the test phase including functional testing, usability testing, and cognition testing, the test phase being performed to verify that the simulation:
> - o functions properly;
> - o enables the student to navigate effectively; and
> - o meets learning objectives.

The Office Action alleges that (Page 10, lines 12-23.):

> Mehlenbacher teaches:
> - (c) wherein the development phases of the simulation that include a test phase, the test phase including usability testing (p 209-222 especially "Usability Tests" p 211 and throughout), the test phase being performed to verify that the simulation: functions properly; enables the student to navigate effectively; and meets learning objectives (The phrase "to verify that the simulation: functions properly; enables the student to navigate effectively; and meets learning objectives" is interpreted to be an intended use which fails to further limit that claim. Furthermore, there is abundant literature discussing software development processes which makes it abundantly clear that it is well known in the art at the time the invention was made for software development to include phases including, but not limited to: planning, specifying/gathering requirements, analyzing requirements, defining functions, defining functions, prototyping, designing, building/coding, testing, producing a product, customer delivery acceptance, installation, training users, operation/execution, customization, evolution, and post-production fixes.).

The feature of "the test phase including functional testing, usability testing, and cognition testing, the test phase being performed to test that the simulation: functions properly as performed by the functional testing; enables the student to navigate effectively as performed by the usability test; and meets learning objectives as performed by the cognition testing" is performed by the claimed

invention and is not an intended use[1]. Thus, the above feature should be considered when determining the patentability of the claimed invention. Moreover, Mehlenbacher fails to even suggest the feature of test phase being performed to test that the simulation "enables the student to **navigate effectively** as performed by the usability test." (Emphasis added.) While Mehlenbacher discusses different general usability test methods, e.g., talk-aloud protocols, videotaped sessions, and interviews, Mehlenbacher fails to even suggest testing whether a simulation "enables the student to navigate effectively."

Applicant is amending independent claim 10 to include the similar feature of "logic that manages information flow utilizing a table of components to provide a simulation of the actual work environment during the presentation, wherein each component encapsulates behavior and data necessary to support a related set of services through a published interface, each said component supporting activities in a plurality of development phases of the simulation that include a test phase, the components comprising: a domain component providing services for modeling a state of the simulation; a profiling component providing a rule-based evaluation of the state of the simulation; a transformation component providing services for manipulating the state of the simulation; and a remediation component providing services for a rule-based delivery of feedback to the student; the test phase including functional testing, usability testing, and cognition testing, the test phase being performed to test that the simulation: functions properly as performed by the functional testing; enables the student to navigate effectively as performed by the usability test; and meets learning objectives as performed by the cognition testing."[2] Moreover, claims 2, 4-9, 11, and 13-18 ultimately depend from independent claims 1 and 10. Applicant requests reconsideration of claims 1-2, 4-11, and 13-18.

Claims 3 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Purcell, Cook, Goleh, and Royce, as applied to claims 1-2, 4-11, and 13-18 and further in view of U.S. Patent No. 4,847,784 (Clancey).

Claims 3 and 12 ultimately depend from claims 1 and 10. Because Clancey does not remedy the deficiencies of Purcell, Cook, and Goleh, claims 3 and 12 are patentable for at least the above reasons.

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[1] The claimed invention does not include any statement of intended use or field of use as discussed in MPEP §2106.
[2] In concert with MPEP §2114, claim 10 does not recite limitations directed to the manner in which the claimed apparatus is intended. Consequently, all claimed features should be considered for patentability.

All objections and rejections have been addressed. Hence, it is respectfully submitted that the present application is in condition for allowance, and a notice to that effect is earnestly solicited.

Respectfully submitted,

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